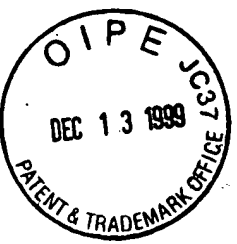


2761

Docket No.: AND1P029



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sean Handel et al.

App. Ref.: AND1P029

Serial No.: 09/196,338

Filing Date: 11/19/98

Title:

SYSTEM, METHOD, AND  
ARTICLE OF MANUFACTURE FOR  
ADVANCED INFORMATION  
GATHERING FOR A PERSONALIZED  
PRODUCT REPORT

Examiner: Not Assigned

Art Unit: 2761

2854

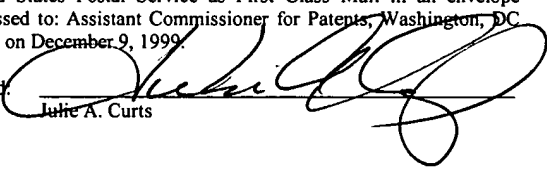
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DEC 28 1999

TECHNOLOGY CENTER 2800  
SPECIAL PROGRAM CENTER

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on December 9, 1999.

Signed:   
Julie A. Curtis

Assistant Commissioner for Patents

Washington D.C. 20231

PETITION TO MAKE SPECIAL

37 C.F.R. 1.102 and MPEP § 708.02(VIII)

Sir:

**1. Petition**

Applicant hereby petitions to make this new application special. This application has not received any examination by the Examiner.

TO BE PLACED IN MAIL ROOM  
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TECHNOLOGY CENTER 2800

## **2. Fee**

The Office is authorized to charge the required fee for this petition to deposit account **50-0797**, of Andersen Consulting, LLP. At any time during the pendency of this application, please charge any fees required or credit any overpayments to the aforementioned deposit account. A duplicate copy of this petition (cover and signature pages only) is enclosed for billing purposes.

## **3. Claims**

All of the claims in this case are directed to a single invention. If the Office determines that all of the claims presented are not directed to a single invention, then applicant will make an election without traverse as a prerequisite to the grant of special status.

## **4. Search**

Searches were performed by a professional third party search firm, NERAC, in databases of U.S. patents, published Patent Cooperation Treaty applications, European patents and published applications, Japanese patents, and scientific publications. NERAC was instructed to provide the most relevant references.

Searches were conducted for a system that facilitates creation of a web-based user interface which obtains user profile information from a database, gathers information from one or more users regarding product characteristics, correlates the user responses, performs statistical analysis of the user responses and presents the statistical analysis in a user comprehensible manner. The system also stores statistical ratings in a database correlated to a particular product or service. Ratings are provided to a user from the database based on a particular product or service, and the database can be queried to retrieve one or more user profiles that have rated a product of interest to the current use. These searches revealed 29 potential references, of which 5 are U.S. patents, 4 are published Patent Cooperation Treaty applications, 2 are published European patent applications, and 18 are industry publications or materials from Internet web sites.

Since the NERAC search provided little relevant U.S. Patent prior art, a search was performed by a technical expert within our firm in databases of U.S. Patents in the following fields: 345/326 and 345/333 and using combinations of the keywords: “user interface”, “content”, “user profile”, “display”, “product configuration” interactive”, “database”, and “format”. This search revealed 9 new references, of which none were deemed sufficiently relevant to merit inclusion with the petition.

## **5. Discussion of Related References**

There is submitted herewith a copy of each of the references deemed most closely related to the subject matter of the claimed invention. Also attached is Form PTO-1449.

### **PCT Application WO 98/41913 to Cirasole et al.**

The reference discloses a method and system for filtering Internet content retrieved from an Internet computer network by a remote Internet Service Provider server and forwarded to a local client computer, where the method and system matches at least one filtering scheme, such as an inclusive or exclusive filter, and at least one set of filtering elements, such as a list of allowed or excluded sites, to each Internet access request generated at the local client computer.

The reference fails to teach, disclose or suggest Applicants' system that facilitates creation of a web-based user interface which obtains user profile information from a database, gathers information from one or more users regarding product characteristics, correlates the user responses, performs statistical analysis of the user responses and presents the statistical analysis in a user comprehensible manner. More specifically, the reference does not disclose performing and presenting statistical analysis.

### **PCT Application WO 98/07103 to Menard et al.**

The reference teaches a system for monitoring broadcast channels, includes a device for receiving a plurality of broadcast channels, a central search engine operable

to search the received channels for a match with a pre-stored profile, a central memory connected to the search engine for storing the profile, and a plurality of user terminals connected to the search engine over a network. The search engine is responsive to commands from the user terminals to store the profiles to be searched in the memory in association with the identity of the user terminal from which the command was received. A device sends an alert signal over the network when a match is found with a pre-stored profile to the user terminal associated with the pre-stored profile. The alert signal identifies the broadcast channel matching the pre-stored profile. The reference also discloses collecting usage statistics from a large number of users for targeted advertising.

The reference fails to teach, disclose or suggest Applicants' system that facilitates creation of a web-based user interface which obtains user profile information from a database, gathers information from one or more users regarding product characteristics, correlates the user responses, performs statistical analysis of the user responses and presents the statistical analysis in a user comprehensible manner. More specifically, the reference does not disclose presenting the statistical analysis in a user comprehensible manner.

**Scott E. Sampson; Gathering customer feedback via the Internet: Instruments and prospects; Industrial Management & Data Systems, Vol. 98, No. 2, 1998**

The reference makes a general discussion of the collection of customer feedback over the Internet and its use. Also, HTML forms are compared to traditional paper feedback cards.

The reference fails to teach, disclose or suggest Applicants' system that facilitates creation of a web-based user interface which obtains user profile information from a database, gathers information from one or more users regarding product characteristics, correlates the user responses, performs statistical analysis of the user responses and presents the statistical analysis in a user comprehensible manner. More particularly, the reference does not disclose presenting the statistical analysis in a user comprehensible manner.

**Scott E. Sampson; EMPLOYING INTERNET TECHNOLOGIES TO GATHER CUSTOMER QUALITY PERCEPTIONS; Proceedings, Annual meeting of the Decision Sciences Institute, Vol. 3; 1998**

The reference makes a general discussion of the collection of customer feedback over the Internet including use of HTML forms.

The reference fails to teach, disclose or suggest Applicants' system that facilitates creation of a web-based user interface which obtains user profile information from a database, gathers information from one or more users regarding product characteristics, correlates the user responses, performs statistical analysis of the user responses and presents the statistical analysis in a user comprehensible manner. More particularly, the reference does not disclose presenting the statistical analysis in a user comprehensible manner.

**Neil Roberson; A PERSONALIZED WEB: New technologies enable Web sites to better serve their visitors by gauging users' unique needs and customizing the delivery of content; Internet World, April 1997**

The reference discusses selecting content based on user profile. Methods for selecting content which are discussed include user-driven personalization, monitoring user activity, taking part in content networks, and using agents. User-driven personalization is set by user-supplied input. Content networking is based on a grouping of sites that share data (such as user demographics and traffic patterns) with each other.

The reference fails to teach, disclose or suggest Applicants' system that facilitates creation of a web-based user interface which obtains user profile information from a database, gathers information from one or more users regarding product characteristics, correlates the user responses, performs statistical analysis of the user responses and presents the statistical analysis in a user comprehensible manner. More specifically, the reference does not disclose obtaining user profile information from a database.

Thus, for the reasons stated above, the limitations of Applicants' claims 1, 10, and 11, are believed to be completely foreign to the teachings of the references cited herein and therefore are believed to be allowable over the cited references. Applicants' claims 2-9 depend from Applicants' claim 1 and claims 12-18 depend from Applicants' claim 11, and therefore by virtue of their dependency are also believed to be allowable over the cited reference.

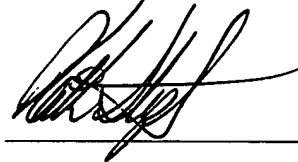
**6. Declaration**

As the undersigned practitioner, being duly registered to practice before the U.S. Patent and Trademark Office, I declare that I have made or caused to be made the careful and thorough search of the prior art as described herein.

Hickman Stephens & Coleman, LLP  
P.O. Box 52037  
Palo Alto, California 94303

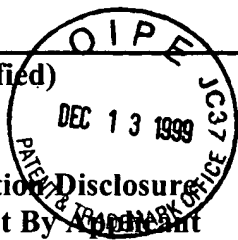
Telephone: 408.558.9950  
Facsimile: 408.558.9960

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read 'Keith Stephens', written over a horizontal line.

Keith Stephens  
Reg. No. 32,632

<b>Form 1449 (Modified)</b>  <b>Information Disclosure Statement By Applicant</b>  (Use Several Sheets if Necessary)	Atty. Docket No. AND1P029	Application No.: 09/196,338
	Applicant: Sean Handel et al.	
	Filing Date: 11/19/98	Group Art Unit: 2761



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### U.S. Patent Documents

**GROUP 2700**

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	A	5,388,198	02-07-95	Layman et al.	395	155	04-19-92
	B	5,465,358	11-02-95	Blades et al.	395	700	12-28-92
	C	5,652,850	07-29-97	Hollander	395	333	06-07-95
	D	5,675,753	10-7-97	Hansen et al.	395	333	04-24-95
	E	5,812,847	09-22-98	Joshi et al.	395	682	02-02-96
	F	5,890,152	03-30-99	Rapaport et al.	707	6	09-09-96
	G	5,907,706	05-25-99	Brodsky et al.	395	701	11-12-96
	H	5,973,686	10-26-99	Shimogori	345	333	09-30-97
	I	5,974,253	10-26-99	Nahaboo et al.	395	701	09-24-97
	J						
	K						

### Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-class	Translation	
							Yes	No
	L							
	M							
	N							
	O							
	P							

### Other Documents

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	Q	
	R	
	S	
	T	
Examiner		Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.